

03 - 04 - 04

RCE

**REQUEST FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Address to:  
**Mail Stop RCE**  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450



Application Number: 09/698,044

Filing Date: October 30, 2000

First Named Inventor: Karl L. GINTER et al.

**RECEIVED**

Group Art Unit: 2132

MAR 08 2004

Examiner: W.P. Amsbury

Technology Center 2100

Attorney Docket Number: 07451.0001-16000

Attorney Customer Number: 22,852

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 C.F.R. § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. Submission required under 37 C.F.R. § 1.114: Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, application must request non-entry of such amendment.

- a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i.  Consider the arguments in the Appeal Brief of Reply Brief previously filed on [Date] \_\_\_\_\_.  
 ii.  Other \_\_\_\_\_

- b.  Enclosed:

- |  |   |
|--|---|
| i. <input type="checkbox"/> Amendment/Reply              | iii. <input checked="" type="checkbox"/> Information Disclosure Statement   |
| ii. <input type="checkbox"/> Affidavit(s)/Declaration(s) | iv. <input checked="" type="checkbox"/> Other <u>3<sup>rd</sup> Supplemental Notice of Related Litigation w/ Exhibits 1-2, and CD ROM containing material from Exhibit 2 (Ex B &amp; C) and Information Disclosure; Notice of Interference.</u> |

2. Miscellaneous

- a.  Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of [number] months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)  
 b.  Other \_\_\_\_\_

3. Fees

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- a.  The filing fee is calculated as follows:

01 FC:1801 770.00 DA

- i.  \$770.00 RCE fee required under 37 C.F.R. § 1.17(e)  
 ii.  Petition for extension of time for ([number] Months) \$[Fee]  
 iii.  Other \_\_\_\_\_

- b.  Check in the amount of \$[Text] enclosed.

- c.  The Commissioner is authorized to charge any deficiencies in the filing fees, or credit any overpayments to Deposit Account No. 06-0916.

**Signature of Applicant, Attorney, or Agent Required**

Name: Andrew B. Schwaab

Reg. No.: 38,611

Signature:

Date: March 2, 2004

**Certificate of Express Mail**

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to Commissioner for Patents, MAIL STOP RCE, P.O. Box 1450, Alexandria, VA 22313-1450 on: March 2, 2004. Express Mail Nos.: EV 398888294 US

Name: Cindy Baglietto

Signature:

Date: 3/2/2004